

Page 77

1 somebody that passes from positional asphyxia.

2 **Q So hog tying could lead to positional**

3 **asphyxia?**

4 A That was what I was taught that that's very

5 possible.

6 **Q When were you taught that?**

7 A '80s, '90s. When I first started.

8 **Q So the idea of the positional asphyxia has**

9 **been around a while?**

10 MR. WILLIAMS: Object to the form.

11 A I don't think -- we didn't call it that.

12 **Q What did you call it?**

13 A Hog tying. Can't do that. Very

14 rudimentary. It went from this is the way you take

15 care of them to don't do this anymore.

16 **Q Was it common knowledge that that increased**

17 **the risk of someone not breathing?**

18 MR. WILLIAMS: Object to form. Go ahead.

19 A Back in the day with me, no. But I think as

20 we moved forward, yeah. I have -- I mean we don't --

21 we don't see it anymore. I think that's been

22 ingrained in the culture now that you don't hog tie

23 where you bring the legs up over the body and the

24 hands back where you -- that's what I mean by hog

25 tying. Not just shackling somebody or putting

Page 79

1 wanted all my officers to see that. I thought that

2 was important. Would have been good to know in the

3 '90s.

4 **Q I'm sorry?**

5 A I said it would have been good to know in

6 the '90s.

7 **Q When did this become common knowledge?**

8 A About agonal breathing?

9 **Q Positional asphyxia.**

10 MR. WILLIAMS: Object to form. Go ahead.

11 A I guess --

12 MR. WILLIAMS: Common knowledge.

13 **Q Common knowledge in the law enforcement**

14 **community I should say.**

15 A You see when I changed my policy. It's when

16 I actually got some documentation that came out and

17 said hey, look at this. And had training review and

18 then we had accreditation put it in policy.

19 I think incidents throughout the country has

20 brought that to light as of late. The police

21 community as well as me and the Henry County Police

22 Department constantly trying to learn and adapt. And

23 unfortunately the police profession you learn a lot of

24 things when bad things happen. And that's

25 unfortunately the way you learn and try not to repeat

Page 78

1 handcuffs on somebody. When you tie the two together.

2 **Q When did that become an improper practice?**

3 A '90s. In the '90s.

4 **Q Okay.**

5 A From my recollection.

6 **Q What is your understanding about positional**

7 **asphyxia as far as making it more difficult to**

8 **breathe?**

9 A My understanding and my biggest takeaway

10 from the training that I wanted to make sure that we

11 trained on was as soon as it's possible and practical

12 and safe to do so, removing the person from their

13 chest where it could possibly make it more difficult

14 for them to breathe, i.e., if you can roll the subject

15 on their side. You get them into a sitting position.

16 It's all going to depend on the dynamics of

17 the situation. Is it safe to do this. But as soon as

18 it's safe to get some somebody in a recovery position.

19 Sitting up or at least on their side so you don't have

20 that pressure. That was my takeaway from that. And

21 it also taught about agonal breathing. Talking about

22 so we got to show the officers what to look for. I

23 know I never had that training personally. Actually

24 getting to watch videos and see and talk about agonal

25 breathing. I thought that was very informative. I

Page 80

1 them.

2 **Q Has your department ever investigated a case**

3 **involving positional asphyxia?**

4 A Not that I can recall in the last 28 years

5 or ever hearing about it, no.

6 **Q Prior to Mr. Rodriguez's arrest or**

7 **detention, were your officers trained on positional**

8 **asphyxia?**

9 A Not in the form that I just put out. That

10 was the best training I've ever seen.

11 **Q What form were they trained in?**

12 A I don't know -- I don't know how in-depth

13 the department training officer gets into it with them

14 in their training.

15 **Q Prior to Mr. Rodriguez's death, did your**

16 **officers receive any training about putting arrestees**

17 **or detainees in the prone position?**

18 A No, not to my knowledge.

19 **Q What is the prone position?**

20 A In layman terms if I were to say -- I guess

21 if you say lay in the prone position, what would come

22 to my mind is someone laying flat on the ground face

23 down. That's what I would call the prone position.

24 **Q Is there a heightened risk that someone**

25 **might have difficulty breathing if they are placed in**